

6,959,266.

10/PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

8

Application Number

10/664,534

Filing Date

September 16, 2003

First Named Inventor

Hassan Mostafavi

Art Unit

2857

Examiner Name

Desta, Elias

Attorney Docket Number

VM70107333002

## ENCLOSURES (check all that apply)

☐ Fee Transmittal Form☐ Fee Attached☐ Amendment / Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Reply to Missing Parts/  
Incomplete Application☐ Reply to Missing Parts  
under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a  
Provisional Application☐ Power of Attorney, Revocation  
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) \_\_\_\_\_☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board  
of Appeals and Interferences☐ Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s)  
(please identify below):

1. Petition for Certificate of Correction Pursuant to 37 CFR §1.322;
2. Certificate of Correction (in duplicate);
3. Return postcard.

Remarks

Certificate

APR 06 2006

of Correction

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm

Bingham McCutchen LLP

Signature

Printed Name

Gerald Chan

Date

March 31, 2006

Reg.  
No.

51,541

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Signature

Typed or printed name

Diana M. Schaller

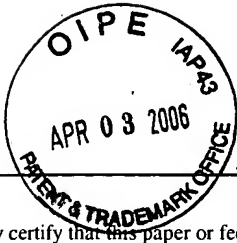
Date

March 31, 2006

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PATENT  
Attorney Docket No. VM7010733002  
Varian No. 98-043-C3

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*Diana M. Schaller*

Diana M. Schaller

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Hassan MOSTAFAVI

Patent Number: 6,959,266

Issue Date: October 25, 2005

For: METHOD AND SYSTEM FOR  
PREDICTIVE PHYSIOLOGICAL  
GATING OF RADIATION THERAPY

Examiner: Elias Desta

Group Art Unit: 2857

Confirmation No.: 4278

**PETITION FOR CERTIFICATE OF  
CORRECTION PURSUANT TO 37 CFR §1.322**

Attention Certificate of Corrections Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR § 1.322, Applicant respectfully requests the Commissioner for a Certificate of Correction for the above-identified U.S. Letters Patent incorporating the following changes:

APR 07 2006

**IN THE CLAIMS**

Claim 19, Column 16, Line 31, between “procedure” and “,” please insert --that involves use of a radiation--.

Claim 19, Column 16, Line 36, please replace “a” with --the--.

Claim 19, Column 16, Line 37, immediately after “variable” please insert --; wherein the determining comprises using a first set of data representative of the physiological movement at a first time and a second set of data related to the physiological movement at a second time.--

Claim 20, Column 16, Lines 38-42, please cancel.

Claim 21, Column 16, Line 43, please replace Claim “21” with --20--.

Claim 21, Column 16, Line 43, please replace “20” with --19--.

Claim 22, Column 16, Line 45, please replace Claim “22” with --21--.

Claim 22, Column 16, Line 45, please replace “21” with --20--.

Claim 23, Column 16, Line 48, please replace Claim “23” with --22--.

Claim 23, Column 16, Line 48, please replace “21” with --20--.

Claim 24, Column 16, Line 51, please replace Claim “24” with --23--.

Claim 25, Column 16, Line 53, please replace Claim “25” with --24--.

Claim 25, Column 16, Line 53, please replace “24” with --23--.

Claim 26, Column 16, Line 55, please replace Claim “26” with --25--.

Claim 26, Column 16, Line 55, please replace “25” with --24--.

Claim 27, Column 16, Line 58, please replace Claim "27" with --26--.


**CONCLUSION**

Pursuant to 37 CFR § 1.322, Applicant respectfully petitions the Commissioner to issue a Certificate of Correction for U.S. Patent No. 6,833,150, which incorporates the above-identified corrections. PTO Form 44 showing the change is enclosed herewith.

Applicant believes no fee is required. However, the undersigned hereby authorized the Commissioner to charge any fee due for the filing of these papers to Bingham McCutchen **Deposit Account No. 50-2518**, referencing attorney billing No. VM7010733002.

Respectfully submitted,  
Bingham McCutchen LLP

Date: March 31, 2006

By:   
Gerald Chan  
Reg. No. 51,541

Bingham McCutchen LLP  
Three Embarcadero Center  
San Francisco, CA 94111-4067  
Telephone: (650) 849-4400  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

### CERTIFICATE OF CORRECTION

PATENT NO : 6,959,266 B1

Page 1 of 2

APPLICATION NO. : 10/664,534

ISSUE DATE : October 25, 2005

INVENTOR(S) : Hassan Mostafavi

It is certified that error appears in the above-identified patent and that said Letters Patent are hereby corrected as shown below:

Claim 19, Column 16, Line 31, between "procedure" and "," please insert --that involves use of a radiation--.

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BINGHAM MCCUTCHEN LLP  
Three Embarcadero Center  
San Francisco, CA 94111-4067

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